Appl. No. 10/596,112
Final Amendment and/or Response
Reply to Final Office Action of July 3, 2008

Reply under 37 CFR 1.116
Expedited Procedure – A.U. 2169

Page 7 of 8

REMARKS / DISCUSSION OF ISSUES

Claims 1-8 and 10-29 are pending in the application wherein claims 9 and 30-32 had been canceled.

The claims in general include certain amendments for one or more non-statutory reasons, such as for better form. Such amendments are not believed to narrow the scope of the claims and no new matter is added.

The Final Office Action rejects claims 1-5, 8, 10-12, 17-24, 26 and 29 under 35 U.S.C. §103(a) over U.S. Patent No. 6,834,308 (Ikezoye) in view of U.S. Patent No. 5,969,755 (Courtney); and rejects claims 6-7, 13-21, 25 and 27-28 under 35 U.S.C. §103(a) over Ikezoye and Courtney in view of U.S. Patent No. 6,243,676 (Witteman). It is respectfully submitted that claims 1-8 and 10-29 are patentable over Ikezoye, Courtney and Witteman for at least the following reasons.

Ikezoye is directed to a system and method for identifying media content presented over a media playing device. As specifically recited on column 8, lines 21-32:

> a user may issue a request for content-related information
> via the user-interface 38. This request is communicated to the
> sampling unit 34 for further processing. As described above, in
> response to such a request, the sampling unit 34 creates a media
> sample of the media content being played on the client media
> player 14 and transmits the sample to the lookup server 12 **for
> further processing**. In response, the lookup server 12 provides
> the information related to the media sample, if available, to the
> client media player. This content-related information is received by
> the user interface 38 which then displays the received information
> to the user of the client media player 14. (Emphasis provided)

That is, in Ikezoye, a server 12 **external to the Ikezoye client media player 14** processes and correlates any intrinsic data with extrinsic data.
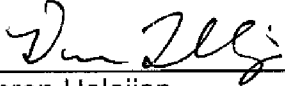
In stark contrast, the present invention as recited in independent claim 1, and similarly recited in independent claim 26, amongst other patentable elements, recites (illustrative emphasis provided):

> wherein the intrinsic content analyzer, the extrinsic content
> analyser, and the processor are **included in a single device**.

Appl. No. 10/596,112
Final Amendment and/or Response
Reply to Final Office Action of July 3, 2008

Reply under 37 CFR 1.116
Expedited Procedure – A.U. 2169

Page 8 of 8

These features are nowhere taught or suggested in Ikezoye. Rather, Ikezoye disclosed processing data by **both** the client media player 14 and the lookup server 12. Courtney and Witteman are cited to allegedly show other features and do not remedy the deficiencies in Ikezoye. Accordingly, it is respectfully submitted that independent claims 1 and 26 allowable. In addition, claims 2-8, 10-25 and 27-29 are allowable at least because they depend from independent claims 1 and 26 as well as for the separately patentable elements contained in each of the dependent claims.

In view of the foregoing, applicants respectfully request that the Examiner withdraw the objection(s) and/or rejection(s) of record, allow all the pending claims, and find the application in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

Dicran Halajian
Reg. 39,703
Attorney for Applicant(s)
September 2, 2008

THORNE & HALAJIAN, LLP
Applied Technology Center
111 West Main Street
Phone: (631) 665-5139
Fax: (631) 665-5101